

# COMMONWEALTH'S ATTORNEY

## DESCRIPTION

The Office of the Commonwealth's Attorney is responsible for providing legal representation in the prosecution of all criminal cases in the General

District, Circuit, and Juvenile & Domestic Relations Courts in Chesterfield County.

## FINANCIAL ACTIVITY

### Commonwealth's Attorney

	<b>FY2002 Actual</b>	<b>FY2003 Adopted</b>	<b>FY2004 Biennial Planned</b>	<b>FY2004 Adopted</b>	<b>Change FY2003 to FY2004</b>	<b>FY2005 Projected</b>	<b>FY2006 Projected</b>	<b>FY2007 Projected</b>
<b>Personnel</b>	\$2,200,407	\$2,230,900	\$2,230,900	\$2,280,100	2.2%	\$2,280,100	\$2,280,100	\$2,280,100
<b>Operating</b>	142,562	140,300	140,300	152,600	8.8%	152,600	152,600	152,600
<b>Capital</b>	<u>11,388</u>	<u>500</u>	<u>500</u>	<u>0</u>	-100.0%	<u>0</u>	<u>0</u>	<u>0</u>
<b>Total</b>	\$2,354,357	\$2,371,700	\$2,371,700	\$2,432,700	2.6%	\$2,432,700	\$2,432,700	\$2,432,700
<b>Revenue</b>	<u>1,456,357</u>	<u>1,277,500</u>	<u>1,277,500</u>	<u>1,356,400</u>	6.2%	<u>1,356,400</u>	<u>1,356,400</u>	<u>1,356,400</u>
<b>Net Cost</b>	\$898,000	\$1,094,200	\$1,094,200	\$1,076,300	-1.6%	\$1,076,300	\$1,076,300	\$1,076,300
<b>FT Pos.</b>	34	34	34	34	0	34	34	34

Note: During FY2003, two unfunded positions were moved to the "Unassigned" responsibility center, and two Exile Grant positions were moved back into this department pending notification of grant award.

### Domestic Violence Prosecutor

	<b>FY2002 Actual</b>	<b>FY2003 Adopted</b>	<b>FY2004 Biennial Planned</b>	<b>FY2004 Adopted</b>	<b>Change FY2003 to FY2004</b>	<b>FY2005 Projected</b>	<b>FY2006 Projected</b>	<b>FY2007 Projected</b>
<b>Personnel</b>	\$71,712	\$66,400	\$66,400	\$74,100	11.6%	\$74,100	\$74,100	\$74,100
<b>Operating</b>	0	0	0	2,700	N/A	2,700	2,700	2,700
<b>Capital</b>	<u>0</u>	<u>0</u>	<u>0</u>	<u>1,500</u>	N/A	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>
<b>Total</b>	\$71,712	\$66,400	\$66,400	\$78,300	17.9%	\$78,300	\$78,300	\$78,300
<b>Revenue</b>	<u>68,266</u>	<u>53,100</u>	<u>53,100</u>	<u>61,400</u>	15.6%	<u>61,400</u>	<u>61,400</u>	<u>61,400</u>
<b>Net Cost</b>	\$3,446	\$13,300	\$13,300	\$16,900	27.1%	\$16,900	\$16,900	\$16,900
<b>FT Pos.</b>	1	1	1	1	0	1	1	1

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## BUDGET ANALYSIS AND EVALUATION

Due to numerous factors, the Commonwealth's Attorney's Office has experienced reductions in state funding at a time when it has experienced significant increases in workload. Case loads in CY2002 increased by 4% over CY2001 while at the same time the office has seen an increase in the complexity and length of these court cases. However, even with these changes, the department has been able to maintain its reputation as tough on crime while receiving an outstanding number of convictions in court. The department is consistently seen as a leader in the region and the state.

As a constitutional officer, the Commonwealth's Attorney's Office receives reimbursement from the state Compensation Board for a portion of its salaries and office expenses. These reimbursements were cut as a part of the Compensation Board's FY2003 budget process and again in late calendar year 2002. The direct cut to the county for FY2004 compared to FY2002 actual revenue is close to \$87,000, and as a result, the county has provided greater local support to the office. These cuts come shortly after the addition in 2001 of a fifth Juvenile and Domestic Relations Court judge with no additional funding from the state or county for additional attorneys.

The Commonwealth's Attorney, working with the Police Department, has been active in receiving asset forfeiture funds from the state and federal governments. These funds are made available to law enforcement entities based on the fair market valuation of seized property used in or acquired through illegal activity. The office utilizes these funds for eligible services and operating costs. Any funds not used within a fiscal year are reserved for use in the next fiscal year. During FY2003, these funds have been used to purchase much needed computers and equipment.

The Multi-Jurisdictional Drug Prosecutor was added to the office's operating budget in FY99 and receives its funding from the state Compensation Board. This prosecutor allows the Commonwealth's Attorney to investigate and prosecute multi-jurisdictional drug and organized crime cases to the fullest extent of the law. This prosecutor addresses drug-related crimes by investigating and prosecuting serious drug offenders and organizations whose crimes overlap political

boundaries. In particular, this position provides for a special narcotics prosecutor to serve Chesterfield County and the cities of Hopewell, Petersburg, and Colonial Heights.

The Commonwealth's Attorney has been active in securing grant funding to facilitate specific objectives in the criminal justice field. One of these initiatives, Virginia Services, Training Officers, Prosecution (V-STOP) Domestic Violence Against Women, has been grant-funded through the Virginia Department of Criminal Justice Services (DCJS). This position prosecutes all domestic violence cases in the courts. Beginning in CY2002, federal funding available through the Violence Against Women Office to DCJS declined significantly and therefore DCJS reduced funding to local V-STOP programs. As a result, the county will be required to absorb approximately \$10,000 in personnel costs for the Chesterfield V-STOP Prosecutor. As the funding has been reduced, the county has continued to fund this initiative. The county recognizes the value of V-STOP efforts to address domestic violence in the community and hopes that full funding at the state and federal levels will be restored in upcoming years.

Beginning in CY2001, the office also began receiving a Virginia Exile grant award through DCJS. This grant provides the county with a prosecutor and an administrative assistant dedicated to the prosecution of crimes involving the possession of firearms. Initially, the grant award allocated to the department for the two-year period CY2002 - CY2003 was close to \$277,000. However, in May 2002 notification was received from the state that the grant would end June 30, 2002 and that a new award would be made. A new grant was received, but for a substantially lower amount which was later split between state and federal funding with the addition of a local match. The county has been required to fund the local match portion as well as the shortfall expected due to the reduction in the grant amount which totals more than \$24,000. At the current time it is unknown if funding to continue this grant into FY2004 will be available. Therefore, no costs or revenues have been included for this program pending the outcome of the General Assembly and federal grant award. The two positions related to this function are reflected in the Commonwealth's Attorney's number of positions.

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## **WHERE ARE WE GOING?**

The office continues to strive to make Chesterfield County a safer place to live by enforcing the criminal laws so that persons and property will be safe and constitutional safeguards of each citizen are addressed.

The biggest challenge faced by the office is the need to become more automated. Currently all police reports can be accessed on-line and a case management system has been added, but additional

ways are needed to address ever increasing workloads.

The Commonwealth's Attorney's Office continues to anticipate increases in Chesterfield's dockets with a greater interest in prosecution of domestic violence cases and juvenile cases. Continued prosecution of juveniles and adults increases the workload not only within the Juvenile Court, but also in the Circuit Court where the felony trials take place.